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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,847	03/30/2004	Byung-cheol Park	1572.1328	2330
21171	7590	03/01/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GEHMAN, BRYON P	
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/811,847

Applicant(s)

PARK, BYUNG-CHEOL

Examiner

Bryon P. Gehman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/27/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 6, the claim depends from claim 4 and repeats its subject matter, rendering the claim redundant.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 7-10, 13-14, 17-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tinapple (3,363,749) in view of Korean 2003-0065974. Tinapple discloses a packing unit for a refrigerator comprising an upper shock absorber connected to an upper of a refrigerator and a lower shock absorber connected to a lower part of the refrigerator. Korean 2003-0065974 discloses a packing unit for a refrigerator having a detachable door handle, comprising an outer case (105) to protect an external appearance of a refrigerator, shock absorbers (102) disposed within the outer case and connected to the refrigerator, one of the shock absorbers having a handle accommodating part (111) to accommodate the detachable door handle

detached from the refrigerator. To modify the packing unit of Tinapple employing an outer case would have been obvious in order to better protect the refrigerator. To modify the packing unit of Tinapple employing a handle accommodating part disposed in one of the shock absorbers would have been obvious in view of Korean 2003-0065974 in order to store the handle in a protected position during shipping, as disclosed by Korean 2003-0065974.

As to claims 2, 7-10, 14 and 17-18 the handle accommodating part of Korean 2003-0065974 appears to be sized to prevent protruding of the accommodated handle and forcedly fits within the handle accommodating part.

5. Claims 1-2, 7-10, 13-14, 17-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korean 2003-0065974 in view of Tinapple. Korean 2003-0065974 discloses a packing unit for a refrigerator having a detachable door handle, comprising an outer case (105) to protect an external appearance of a refrigerator, shock absorbers (102) disposed within the outer case and connected to the refrigerator, one of the shock absorbers having a handle accommodating part (111) to accommodate the detachable door handle detached from the refrigerator. Tinapple discloses disposing shock absorbers at an upper part of a refrigerator and at a lower part of the refrigerator. To modify the packing unit of Korean 2003-0065974 employing upper and lower shock absorbers with one having a handle accommodating part disposed therein would have been obvious in view of Tinapple in order to protect the

upper and lower ends, as disclosed by Tinapple and to accommodate a detached handle, as disclosed by Korean 2003-0065974.

As to claims 2, 7-10, 14 and 17-18 the handle accommodating part of Korean 2003-0065974 appears to be sized to prevent protruding of the accommodated handle and forcedly fits within the handle accommodating part.

6. Claims 3, 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 2 and 13 above, and further in view of Kim (6,274,217). Kim discloses comprising a packing unit shock absorber from expandable polystyrene material. To modify the previous structural combination employing polystyrene as the foam material would have been obvious to one of ordinary skill in the art, as polystyrene was well known as a buffer material in packing units.

7. Claims 4, 6, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 3 and 15 above, and further in view of either one of Lancaster (6,471,067) and Brissier et al. (4,815,605). Lancaster and Brissier et al. each disclose a shock absorber (108; 30; respectively) provided with an air vent (36; column 3, lines 28-35). To modify the shock absorber of the previous combination employing the air vent of Lancaster would have been obvious in order to provide an increase in impact resistance by venting during impact. To modify the shock absorber of the previous combination employing the air vent of Brissier et al. would

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have been obvious in order to reduce compression during impact (see column 3, line 61 through column 4, line 2).

8. Claims 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1 and 13 above, and further in view of Drakenfeld (343,704). Drakenfeld discloses employing an adhesive material to secure a content within a holding structure. To modify the accommodating parts of the prior art combination to include adhesive would have been obvious in view of Drakenfeld in order to better secure the content in the accommodating part.

9. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

10. This action is made non-final in view of the new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571) 272-4555. The examiner can normally be reached on Monday through Wednesday from 5:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Bryon P. Gehman', with a stylized flourish at the end.

Bryon P. Gehman  
Primary Examiner  
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BPG